

Remarks

The non-final Office Action dated July 22, 2008, lists the following objections and rejections: an objection to claim 1; claims 1-2, 5, and 12-13 stand rejected under 35 U.S.C. § 102(b) over Hawker *et al.* (U.S. Patent No. 6,002,949); claims 1, 9-10 and 12-13 stand rejected under 35 U.S.C. § 102(b) over Clark (U.S. Patent No. 6,134,336); claims 3-4 and 6-8 stand rejected under 35 U.S.C. § 103(a) over Hawker *et al.*; and claim 11 stands rejected under U.S.C. § 103(a) over Clark. Reconsideration and allowance of the claims is requested in light of the arguments presented below. In this discussion set forth below, Applicant does not acquiesce to any rejection or averment in this Office Action unless Applicant expressly indicates otherwise.

Regarding the objection to claim 1, Applicant notes that the language in lines 7-8 upon which the objection is based is no longer present in the claims. As such, Applicant requests that the objection to claim 1 be removed.

Applicant respectfully submits that the § 102(b) rejection of claims 1-2, 5, and 12-13 and the § 103(a) rejection of claims 3-4 and 6-8 (each of which is based on the Hawker reference) are no longer applicable. The cited portions of Hawker do not correspond limitations directed to, for example, a sound-collecting chamber and sound-delivery chamber, connected by a duct, where the sound-delivery chamber delivers sound to acoustic free space and, via another duct, to bounded space. For instance, the cited portions of Hawker are directed to chambers (*i.e.*, chambers 30 and 32) that separate and do not exhibit the claimed arrangement of duct(s) and chambers. Accordingly, Applicant requests that the § 102(b) rejection of claims 1-2, 5, and 12-13 and the § 103(a) rejection of claims 3-4 and 6-8 be withdrawn.

Applicant respectfully submits that the § 102(b) rejection of claims 1, 9-10 and 12-13 and the § 103(a) rejection of claim 11 (each of which is based on the Clark reference) are also no longer applicable. As with the Hawker reference discussed above, the cited portions of Clark do not correspond to limitations directed to a sound-collecting chamber and sound-delivery chamber connected by a duct, and related sound delivery. The cited portions of Clark appear to teach a single chamber (*i.e.*, the chamber located in front of diaphragm 402) that is enclosed by a housing, which does not correspond to the

claimed invention. Accordingly, Applicant requests that the § 102(b) rejection of claims 1, 9-10 and 12-13 and the § 103(a) rejection of claim 11 be withdrawn.

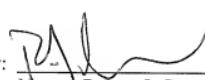
Applicant believes new claims 14 and 15 are allowable over the cited references based upon the above discussion, and further because the cited references fail to disclose limitations directed to a duct sound-delivery chamber (as claimed) that form a resonator that amplifies sound in a frequency range of between about 4 kHz and 10 kHz. Applicant believes that the cited references also do not disclose limitations directed to reducing the sound pressure in a sound-delivery chamber, relative to sound pressure in a sound-collecting chamber as claimed. Support for new claims 14 and 15 can be found in the specification and figures, with example embodiments described in paragraphs 0013 - 0016.

In view of the above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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